



**Tennessee Department of Environment and Conservation  
Division of Water Pollution Control  
Mining Section**

**3711 Middlebrook Pike  
Knoxville, Tennessee 37921-6538  
PHONE (865) 594-6035 FAX (865) 594-5253**

**Public Participation Opportunities**

**April 3, 2008**

**Public Notice M2008-05**

**Last Day to Submit Comments: May 6, 2008**

The purpose of this notice is to advise the public of the following draft environmental permits and to solicit comments and information necessary to evaluate the potential impact of the proposed activities on human health and the environment.

**Individual NPDES Permits**

***Coal Proposed Modification/Reissuances***

Applicant **LCC Tennessee, LLC**  
Facility **Conrich Preparation Plant**  
NPDES Permit Number **TN0050229**  
Counties Morgan/Scott  
Street Address Sandy Gap Mountain  
City Robbins  
Zip 37852  
Description of Activity Reclaimed coal preparation plant  
Receiving Stream Wet weather conveyance to Mill Creek  
Effluent Description Treated wastewater and storm water  
Facility Latitude 36°11'56"  
Facility Longitude 84°27'59"  
Permit Writer MRR

Applicant **Mountainside Coal Company, Inc.**  
Facility **Cooper Ridge Area 1**  
NPDES Permit Number **TN0072281**  
County Claiborne  
Street Address Rock Creek Ridge Road  
City Clairfield  
Zip 37715  
Description of Activity Reclaimed surface coal mine  
Receiving Streams Wet weather conveyances and unnamed tributaries to Straight Creek  
Wet weather conveyance to Nolan Branch  
Effluent Description Treated wastewater and storm water  
Facility Latitude 36°33'13"  
Facility Longitude 83°54'47"  
Permit Writer MRR

Applicant	<b>Mountainside Coal Company, Inc.</b>
Facilities	<b>Leach Mountain Areas 6A, 6B, and Double Mountain Area 7A</b>
NPDES Permit Number	<b>TN0072575</b>
County	Claiborne
Street Address	Rock Creek Ridge Road
City	Clairfield
Zip	37715
Description of Activity	Reclaimed surface coal mine
Receiving Streams	Unnamed tributary to Tackett Creek Wet weather conveyances and unnamed tributaries to Straight Creek White Oak Branch
Effluent Description	Treated wastewater and storm water
Facility Latitude	36°30'55"
Facility Longitude	83°53'03"
Permit Writer	MRR

***Non-Coal Proposed Issuance***

Applicant	<b>Charles Blalock &amp; Sons, Inc.</b>
Facility	<b>Newport Pit</b>
NPDES Permit Number	<b>TN0079871</b>
County	Cocke
Street Address	601 Rankin Road
City	Newport
Zip	37821
Description of Activity	Construction sand and gravel mining and processing
Receiving Streams	Unnamed tributaries to the Pigeon River near mile 2.7
Effluent Description	Treated wastewater and storm water
Facility Latitude	35°59'48"
Facility Longitude	83°11'13"
Permit Writer	SJT

***Non-Coal Proposed Reissuances***

Applicant	<b>East Tennessee Industries, Inc.</b>
Facility	<b>Asbury Project, Area 1</b>
NPDES Permit Number	<b>TN0063657</b>
County	Knox
Street Address	Cinder Lane; NE of Marbledale
City	Knoxville
Zip	37920
Description of Activity	Limestone mining and processing
Receiving Stream	Unnamed tributary to Sand Branch
Effluent Description	Treated wastewater and storm water
Facility Latitude	35°58'01"
Facility Longitude	83°49'02"
Permit Writer	KBG

Applicant	<b>Rogers Group, Inc.</b>
Facility	<b>Cowan Quarry</b>
NPDES Permit Number	<b>TN0066311</b>
County	Franklin
Street Address	221 Rogers Group Road
City	Cowan
Zip	37318
Description of Activities	Limestone quarry and processing facility. Drainage associated with an asphalt plant
Receiving Streams	Unnamed drainway to Boiling Creek Unnamed tributary to Keith Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	35°09'20"
Facility Longitude	86°00'35"
Permit Writer	MES

### ***Non-Coal Proposed Modification/Reissuance***

Applicant	<b>American Sand Supply</b>
Facility	<b>40 Acre Tract</b>
NPDES Permit Number	<b>TN0066249</b>
County	Putnam
Street Address	Highway 70 near Pinhook
City	Monterey
Zip	38574
Description of Activity	Sand and gravel mining and processing
Receiving Stream	Unnamed tributary to Tayes Hollow
Effluent Description	Treated wastewater and storm water
Facility Latitude	36°08'24"
Facility Longitude	85°18'10"
Permit Writer	SJT

TDEC is requesting public comment on these permit actions. Obtaining a broad range of facts and opinions on Agency actions is one of the best ways to ensure quality decisions. Persons wishing to comment on these proposed actions are invited to submit comments in writing to the Mining Section at the above letterhead address, Attn: Public Notice Coordinator, by fax (865) 594-5253 or by e-mail at [Gary.Mullins@state.tn.us](mailto:Gary.Mullins@state.tn.us). Comments must be received by the end of comment period date (see page 1).

### **How to Request a Public Hearing:**

Interested persons may request in writing that the Director of the Division of Water Pollution Control hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons why such a hearing is warranted. When there is significant public interest for a hearing, a hearing will be conducted according to *Rule 1200-4-5-.06 (12)* of the Division of Water Pollution Control. Public hearings will be announced through another public notice.

### **How the Department Will Proceed:**

The Director of the Division of Water Pollution Control will determine the final permit action after considering comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State acts and regulations.

### **To Obtain Permit Details:**

Draft permits contain Antidegradation Determinations and Rationales that address information concerning the foundation for the Division's determinations. Copies of the application(s), draft permit(s), and supporting documentation are in the permit files maintained at the Mining Section's office located at the letterhead address. There is a nominal fee for copying. These files are available for public inspection during normal visiting hours. Please email [Kimberley.Reardon@state.tn.us](mailto:Kimberley.Reardon@state.tn.us) or call (865) 594-5619 to schedule an appointment for the review(s).

#### List of Permit Writers

<b>KBG</b>	<b>Kristen Gettelfinger</b>	<b>865-594-5545</b>	<a href="mailto:Kristen.Gettelfinger@state.tn.us">Kristen.Gettelfinger@state.tn.us</a>
<b>JPJ</b>	<b>Jesse Jones</b>	<b>865-594-5543</b>	<a href="mailto:Jesse.P.Jones@state.tn.us">Jesse.P.Jones@state.tn.us</a>
<b>GWM</b>	<b>Gary Mullins</b>	<b>865-594-5536</b>	<a href="mailto:Gary.Mullins@state.tn.us">Gary.Mullins@state.tn.us</a>
<b>MRR</b>	<b>Micheal Robbins</b>	<b>865-594-5542</b>	<a href="mailto:Michael.Robbins@state.tn.us">Michael.Robbins@state.tn.us</a>
<b>MES</b>	<b>Michael Swanger</b>	<b>865-594-5585</b>	<a href="mailto:Michael.Swanger@state.tn.us">Michael.Swanger@state.tn.us</a>
<b>SJT</b>	<b>Steven Turaski</b>	<b>865-594-5584</b>	<a href="mailto:Steven.Turaski@state.tn.us">Steven.Turaski@state.tn.us</a>
<b>DAT</b>	<b>Dave Turner</b>	<b>865-594-5541</b>	<a href="mailto:Dave.Turner@state.tn.us">Dave.Turner@state.tn.us</a>

### **State of Tennessee Antidegradation Policy**

Tennessee's Antidegradation Statement is in Chapter 1200-4-3-.06 of the *Rules of the Tennessee Department of Environment and Conservation*. The primary purpose of the Antidegradation Policy is to establish a greater level of protection for high quality waters. Some high quality waters are in near-pristine condition. Others are determined to be high quality due to specialized uses and/or unique features.

Generally, there are two types of high quality waters. Outstanding National Resource Waters (ONRWs) receive the greatest level of protection. The Water Quality Control Board designates these waters. New discharges or expansion of existing discharges cannot degrade existing water quality.

The Department identifies other high quality waters known as Exceptional Tennessee Waters and protects against their degradation. The Department may allow some degradation if the Department deems it economically and socially necessary.

Non Exceptional Tennessee Waters refer to surface waters that do not have the identification and/or designation as high quality. These waters must achieve and maintain Tennessee's Water Quality Standards.

### **State of Tennessee Policy of Non-Discrimination**

Pursuant to the State of Tennessee's policy of non-discrimination, the Tennessee Department of Environment and Conservation does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military service in its policies, or in the admission or access to, or treatment or employment in its programs, services or activities. Equal Employment Opportunity/Affirmative Action inquiries or complaints should be directed to the EEO/AA Coordinator, Office of General Counsel, 401 Church Street, 20<sup>th</sup> Floor, L & C Tower, Nashville, TN 37243, 1-888-867-7455. Americans with Disabilities Act (ADA) inquiries or complaints should be directed to the ADA Coordinator, Human Resources Division, 401 Church Street, 12<sup>th</sup> Floor, L & C Tower, Nashville, TN 37243, 1-866-253-5827. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).